

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 1995 Grand Jury

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
HUU TRAN)
)
Defendant.)

CR SA 95

I N D I C T M E N T

[18 U.S.C. § 1344(1): Bank
Fraud; 18 U.S.C. § 2(b):
Causing an Act to be Done;
18 U.S.C. § 982: Criminal
Forfeiture]

The Grand Jury charges:

[18 U.S.C. § 1344(1), 18 U.S.C. § 2(b)]

I. The Scheme To Defraud

1. Beginning on or about October 1993, and continuing to on or about March 1994, in Orange County, within the Central District of California, defendant HUU TRAN knowingly and willfully executed a scheme to defraud and obtain moneys and funds under the custody and control of several financial institutions ("the victim banks"), the deposits of which were federally insured, by means of false and fraudulent pretenses, representations and promises, and the concealment of material facts.

2. The scheme to defraud was carried out, in part, as follows:

JPW:mrg

II. Execution of the Scheme to Defraud

3. On or about the dates set forth below, within the Central District of California, defendant HUU TRAN, in execution of the scheme to defraud and to obtain moneys and funds under the custody and control of the victim banks by false and fraudulent pretenses, representation, and promises, knowingly submitted the following fraudulent payments and caused the following losses to the victim banks:

COUNT I

<u>CREDITOR</u>	<u>DATE</u>	<u>FRAUDULENT PAYMENT</u>	<u>FRAUDULENT PURCHASES</u>
FCC NAT'L BANK/ FIRST CARD	12/20/93	\$6,341.98	
VISA 4678 061 819 131	12/25/93		\$994.99
	12/25/93		\$994.99
	12/25/93		\$994.99
	12/25/93		\$994.99
	12/25/93		\$424.99
	12/25/93		\$994.99
	12/25/93		\$985.75
	12/26/93	\$6,341.98	
	12/26/93	\$6,341.98	
	12/28/93		\$988.99
	12/28/93		\$994.99
	12/28/93		\$524.99
	12/28/93		\$988.99
	12/28/93		\$989.99
	12/28/93		\$992.30
	12/31/93		\$424.99
	12/31/93		\$419.75

		COUNT II		
	<u>CREDITOR</u>	<u>DATE</u>	<u>FRAUDULENT PAYMENT</u>	<u>FRAUDULENT PURCHASES</u>
3	BANK OF AMERICA	12/21/93	\$2,272.18	
4	MC 5432 2572 0233 6999	12/24/93		\$987.75
		12/25/93		\$212.99
		12/25/93		\$994.99
5		12/28/93	\$4,544.36	
		12/29/93		\$520.99
6		12/29/93		\$992.30
		12/31/93		\$733.99
7		1/18/94	\$6,971.96	
8	-----			
9		COUNT III		
10	BANK OF NEW YORK	12/27/93	\$2,542.08	
	VISA 4253 3025 3337 1627	12/28/93		\$994.99
		12/28/93		\$994.99
11		12/29/93		\$474.99
		12/31/93	\$2,542.08	
12		12/31/93	\$2,542.08	
13	-----			
14		COUNT IV		
15	NATIONSBANK	12/21/93	\$7,500.00	
	MC 5342 1300 0148 5243	12/25/93		\$301.00
		12/25/93		\$991.99
16		12/25/93		\$994.99
		12/25/93		\$994.99
17		12/25/93		\$994.99
		12/25/93		\$994.99
18		12/25/93		\$994.99
		12/25/93		\$994.99
19		12/25/93		\$994.99
		12/28/93	\$7,500.00	
20		12/28/93	\$7,500.00	
		12/29/93		\$522.99
21		12/29/93		\$994.99
		12/29/93		\$994.99
22		12/29/93		\$994.99
		12/29/93		\$994.99
23		12/29/93		\$994.99
		12/29/93		\$987.75
24		12/31/93		\$301.00
		12/31/93		\$424.99
25		12/31/93		\$419.75

FORFEITURE

[18 U.S.C. § 982]

5. The allegations of Count One of this indictment are realleged and fully incorporated herein for the purpose of alleging forfeitures to the United States of America pursuant to the provisions of Title 18, United States Code, Section 982.

6. As a result of the offense alleged in Count One, defendant HUU TRAN shall forfeit to the United States of America all property, real and personal, involved in the aforesaid offenses and all property traceable to such property, including but not limited to the following property:


a. Approximately \$35,508.01 in United States currency and all interest and proceeds traceable thereto, in that such sum in aggregate is property that was involved in the aforesaid offense or is traceable to such property, in violation of Title 18, United States Code, Section 1344.

b. If any of the property described above as being subject to forfeiture, as a result of any act or omission of defendant HUU TRAN:

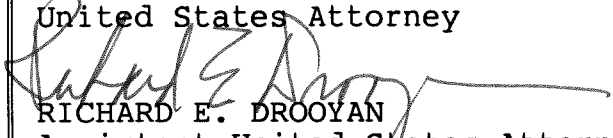
- i. cannot be located by the exercise of due diligence;
- ii. has been transferred, or sold to, or deposited with, a third person;
- iii. has been placed beyond the jurisdiction of this court;
- iv. has been substantially diminished in value; or
- v. has been commingled with other property that cannot be subdivided without difficulty;

1 it is the intent of the United States of America, pursuant to Title
2 18, United States Code, Section 982(b)(1) to seek forfeiture of any
3 other property of said defendant up to the value of the above
4 forfeitable property, that is, \$35,508.01 in United States currency.

5
6 A TRUE BILL

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8 
9 Foreperson

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11 NORA M. MANELLA
12 United States Attorney

13 
14 RICHARD E. DROOYAN
15 Assistant United States Attorney
16 Chief, Criminal Division

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18 JAMES P. WALSH, JR.
19 Assistant United States Attorney
20 Chief, Organized Crime Strike Force
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